UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,357	01/09/2002	Jennifer Kellam	3660P064	6337

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7590	11/02/2006			ONYEZIA, CHUKS N

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ART UNIT	PAPER NUMBER
3692	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/043,357	KELLAM ET AL.
	Examiner	Art Unit	
	Chuks Onyezia Esq.	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>09 January 2002</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *7/2/02*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Drawings

1.   The drawings are objected to because Figure 4 fails to detail a connection between 32B and the rest of the system. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2.   The drawings are objected to as failing to comply with 37
CFR 1.84(p)(4) because reference character "30", in figures 1A,
1B, and 1C, has been used to designate both bidder's A-C and
winning bidder. Corrected drawing sheets in compliance with 37
CFR 1.121(d) are required in reply to the Office action to avoid
abandonment of the application. Any amended replacement drawing
sheet should include all of the figures appearing on the
immediate prior version of the sheet, even if only one figure is
being amended. Each drawing sheet submitted after the filing
date of an application must be labeled in the top margin as
either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR
1.121(d). If the changes are not accepted by the examiner, the
applicant will be notified and informed of any required
corrective action in the next Office action. The objection to
the drawings will not be held in abeyance.

Specification

3.   The disclosure is objected to because of the following

informalities: a typographical error appears in paragraph

[0032], reference to Fig.3 should be corrected to read Fig.4.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine,
> manufacture, or composition of matter, or any new and useful improvement
> thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

As per claims 22-30 the claimed inventions are rejected

under 35 U.S.C. 101 as being directed to non-statutory subject

matter.   Claims to computer-related inventions that are clearly

nonstatutory fall into the same general categories as

nonstatutory claims in other arts, namely natural phenomena such

as magnetism, and abstract ideas or laws of nature, which

constitute "descriptive material." Abstract ideas, Warmerdam, 33

F.3d at 1360, 31 USPQ2d at 1759, or the mere manipulation of

abstract ideas, Schrader, 22 F.3d at 292-93, 30 USPQ2d at 1457-

58, are not patentable. Descriptive material can be

characterized as either "functional descriptive material" or

"nonfunctional descriptive material." In this context,

"functional descriptive material" consists of data structures and computer programs, which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data. <u>Both types of "descriptive material" are nonstatutory when claimed as descriptive material per se. Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized</u>. The "machine readable code" of claims 22-30 are not embodied on the machine readable medium of the preamble of claim 22. Claims 22-30 are merely directed to a computer program per se.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-30 rejected under 35 U.S.C. 102(e) as being

anticipated by Blalock et al. U.S. Application No. 09/775,265.

6.   As per claim 1, Blalock teaches a method of bidding to

drive competition in an auction comprising:

a.   Receiving a plurality of bids from a plurality of

bidders (Blalock paragraph[0059], each carrier can submit

its bids, lane by lane, through the web site interface)

b.   distinguishing the bidders according to a subset of a

parameter (Blalock paragraph[0144], there are one or more

matrices which display the lowest rate-per-mile bids

submitted by zone)

c.   assigning at least one identifier to the bidders in

each subset (Blalock paragraph[0145], it can be seen that

state or regional codes are used to identify both the rows

(origin) and the columns (destination) that comprise the

matrix . . . a shipper can view the lowest mileage rate for

a particular transportation zone as determined through

bidding by participating carriers); the subset associated

with the identifier being unknown to the bidders outside of

the subset (Blalock paragraph[0061], a shipper may choose

not to allow carriers to view information associated with

other carrier bids); and

d.   displaying a lowest bid with the identifier for each

bidder (Blalock paragraph[0140], data columns provide

specific information about the bids that have been

submitted with respect to the various accessorials listed

in the table . . . the "Min" is the minimum bid; Blalock

paragraph[0144], there are one or more matrices which

display the lowest rate-per-mile bids submitted by zone)

7.   As per claim 2, Blalock teaches the method of claim 1 as

discussed above. Blalock further teaches, updating the lowest

bids with new lowest bids from the bidders (Blalock

paragraph[0146], selection of the "Submit Status Changes" button

updates the status of each carrier with respect to the
particular RFQ in the integral database)

8.   As per claim 3, Blalock teaches the method of claim 1 as
discussed above. Blalock further teaches, assigning comprises
selecting different identifiers for each subset (Blalock
paragraph[0145], it can be seen that state or regional codes are
used to identify both the rows (origin) and the columns
(destination) that comprise the matrix . . . a shipper can view
the lowest mileage rate for a particular transportation zone as
determined through bidding by participating carriers)

9.   As per claim 4, Blalock teaches the method of claim 1 as
discussed above. Blalock further teaches, assigning comprises
selecting different identifiers for each bidder, the different
identifiers having a common characteristic with other
identifiers assigned to the bidders in the subset (Blalock
paragraph[0151], the first data columns labeled "SCAC" (Standard
Carrier Alpha Code) and "Name," and categorized under the
"Carrier" umbrella, provide identifying information; Blalock
paragraph[0155], the "SCAC" and "Name" data associated with each
carrier be represented in hyperlink form so that the shipper can
select the hyperlink to be directed to further details about
awards to the specified carrier)

10.   As per claim 5, Blalock teaches the method of claim 1 as discussed above. Blalock further teaches, setting, in each subset, bid terms (Blalock paragraph[0139], If the shipper allows open bidding on the accessorial, the designation "Open" appears in the "Bid Rule" data column)

11.   As per claim 6, Blalock teaches the method of claim 5 as discussed above. Blalock further teaches, setting comprises establishing at least one of a reserve price, a historic price, a target price, time dependent variables, and bid strategies (Blalock paragraph[0102], the displayed data is but a preferred selection and layout of data which could be modified); the displayed data is notes as being time dependent variables such as contract period, preview time, bidding start time, award time, and acceptance time as shown in table B.

12.   As per claim 7, Blalock teaches the method of claim 6 as discussed above. Blalock further teaches, establishing comprises providing time dependent variables including at least one of an opening time, a closing time, time extensions, and disclosures based on time (Blalock paragraph[0102], the displayed data is but a preferred selection and layout of data which could be modified); the displayed data is notes as being time dependent variables such as bidding start time, bidding stop time, preview time, and acceptance time as shown in table B.

13.   As per claim 8, Blalock teaches the method of claim 1 as

discussed above. Blalock further teaches, providing a parameter,

the parameter being at least one of regions, payment terms,

delivery terms, contract length, contract volume, material, and

qualification status (Blalock paragraph[0143], Matrix bidding

allows carriers participating in an RFQ to submit rate-per-mile

bids for particular transportation zones, from one geographic

area to another)

14.   As per claim 9, Blalock teaches the method of claim 8 as

discussed above. Blalock further teaches:

  e.   The parameter comprises regions (Blalock

  paragraph[0145], it can be seen that state or regional

  codes are used to identify both the rows (origin) and the

  columns (destination) that comprise the matrix);

  f.   The competition comprises global and regional

  competition (Blalock claim 12, wherein said computer

  network is the World Wide Web portion of the global

  Internet); and

  g.   The assigning comprises allotting a range of numbers

  to each region and giving a number to each bidder in the

  region (Blalock paragraph[0094], The PERSONAL PROFILE

  SCREEN includes a data entry window with multiple data

  entry fields, indicated generally by reference numeral 54,

that allow the logged-in shipper to revise its personal

profile data. In this particular embodiment, the following

information may be revised) the information to be revised

includes address, city, state, and postal code as depicted

in table A and Figure 4-2. It is well known to those

skilled in the art that postal code is an allotment of a

range of numbers denoting separate regions or subsets of a

geographical area.

15. As per claim 10, Blalock teaches the method of claim 9 as

discussed above. Blalock further teaches, displaying comprises

illustrating the lowest bids to allow a comparison regionally

and globally (Blalock paragraph[0144], there are one or more

matrices which display the lowest rate-per-mile bids submitted

by zone; also Blalock figure 10-2 illustrates the lowest bid as

"Min")

16. As per claim 11, Blalock teaches the method of claim 1 as

discussed above. Blalock further teaches, receiving comprises

accepting bids for a plurality of lots (Blalock claim 1, wherein

each of said carriers can submit bids on one or more of the

plurality of transportation lanes comprising said request for

quotation)

17. As per claim 12, Blalock teaches a method of bidding to

drive competition in an auction comprising:

h.   soliciting a plurality of bids (Blalock

paragraph[0012], the method and system of the present

invention allows shippers to post a request for quotation

("RFQ"), soliciting bids for a plurality of transportation

lanes from approved carriers through an automated bidding

and negotiation process);

i.   receiving the bids from a plurality of bidders

(Blalock paragraph[0059], each carrier can submit its bids,

lane by lane, through the web site interface);

j.   distinguishing the bidders according to a subset of a

parameter(Blalock paragraph[0144], there are one or more

matrices which display the lowest rate-per-mile bids

submitted by zone);

k.   assigning at least one identifier to the bidders in

each subset (Blalock paragraph[0145], it can be seen that

state or regional codes are used to identify both the rows

(origin) and the columns (destination) that comprise the

matrix . . . a shipper can view the lowest mileage rate for

a particular transportation zone as determined through

bidding by participating carriers);

l.   the subset associated with the identifier being

unknown to the bidders outside of the subset (Blalock

paragraph[0061], a shipper may choose not to allow carriers
to view information associated with other carrier bids);

m.   setting, in each subset, bid terms (Blalock
paragraph[0139], If the shipper allows open bidding on the
accessorial, the designation "Open" appears in the "Bid
Rule" data column);

n.   displaying a lowest bid with the identifier for each
bidder (Blalock paragraph[0140], data columns provide
specific information about the bids that have been
submitted with respect to the various accessorials listed
in the table . . . the "Min" is the minimum bid; Blalock
paragraph[0144], there are one or more matrices which
display the lowest rate-per-mile bids submitted by zone);

o.   allowing competition of the bidders within the subset
and the parameter (Blalock claim 1, wherein each of said
carriers can submit bids on one or more of the plurality of
transportation lanes comprising said request for
quotation); and

p.   updating the display with new lowest bids from the
bidders (Blalock paragraph[0146], selection of the "Submit
Status Changes" button updates the status of each carrier
with respect to the particular RFQ in the integral
database).

18.   As per claim 13, Blalock teaches a system of bidding to
drive competition in an auction comprising:

q.   a database for receiving and storing bid information
from bidders (Blalock paragraph[0083], the integral
database is the storage location for all data about users
of the system, whether they be shippers or carriers, along
with all pertinent data and information associated with the
bidding and negotiation process); and

r.   software for distinguishing the bidders according to a
subset of a parameter (Blalock paragraph[0144], there are
one or more matrices which display the lowest rate-per-mile
bids submitted by zone; Blalock paragraph[0083], Various
commercial software packages and/or programming techniques
could be used by those skilled in the art to develop this
database without departing from the spirit and scope of the
present invention);

s.   assigning at least one identifier to the bidders in
each subset(Blalock paragraph[0145], it can be seen that
state or regional codes are used to identify both the rows
(origin) and the columns (destination) that comprise the
matrix . . . a shipper can view the lowest mileage rate for
a particular transportation zone as determined through
bidding by participating carriers);

t.   the subset associated with the identifier being

unknown to the bidders outside of the subset, (Blalock

paragraph[0061], a shipper may choose not to allow carriers

to view information associated with other carrier bids);

and

u.   displaying a lowest bid with the identifier for each

bidder(Blalock paragraph[0140], data columns provide

specific information about the bids that have been

submitted with respect to the various accessorials listed

in the table . . . the "Min" is the minimum bid; Blalock

paragraph[0144], there are one or more matrices which

display the lowest rate-per-mile bids submitted by zone).

19.   As per claim 14, Blalock teaches the system of claim 13 as

discussed above. Blalock further teaches, parameter comprises at

least one of regions, payment terms, delivery terms, contract

length, contract volume, material, and qualification status

(Blalock paragraph[0143], Matrix bidding allows carriers

participating in an RFQ to submit rate-per-mile bids for

particular transportation zones, from one geographic area to

another)

20.   As per claim 15, Blalock teaches the system of claim 14 as

discussed above. Blalock further teaches the subsets comprise:

v.   geographical areas for the regions (Blalock

paragraph[0145], it can be seen that state or regional

codes are used to identify both the rows (origin) and the

columns (destination) that comprise the matrix);

w.   methods of payment for the payment terms (Blalock

paragraph[0181] By selecting the "Remittance" hyperlink the

shipper is re-directed to a screen displaying remittance

contact information for the carrier);

x.   methods of delivery for the delivery terms (Blalock

paragraph[0182], By selecting the "Equipment" hyperlink,

the shipper is re-directed to a screen displaying detailed

information about the carrier's equipment, including, but

not limited to, number of tractors owned, leased trailers,

total trailers, number of driving teams);

y.   times for the contract length (Blalock

paragraph[0102], the displayed data is but a preferred

selection and layout of data which could be modified; the

displayed data is notes as being contract period as shown

in table B);

z.   capacities for the contract volume (Blalock

paragraph[0224], The third data entry field is labeled

"Cap." In this data entry field the carrier enters its

capacity, i.e., the volume of truckloads the carrier can

accommodate for the specified lane during a designated

period of time);

aa. types of material for the material (Blalock

paragraph[0182], selecting the "Equipment" hyperlink, the

shipper is re-directed to a screen displaying detailed

information about the carrier's equipment, including, but

not limited to, number of tractors owned, leased trailers,

total trailers, number of driving teams); and

bb. at least one of approval and certification for the

qualification status (Blalock paragraph[0147], status of

each carrier is an indication of its approved level of

participation with respect to a particular RFQ . . . An

"approved" carrier can fully participate in the RFQ).

21. As per claim 16, Blalock teaches the system of claim 13 as

discussed above. Blalock further teaches, identifier comprises a

number selected from a range of numbers assigned to the subset

(Blalock paragraph[0094], The PERSONAL PROFILE SCREEN includes a

data entry window with multiple data entry fields, indicated

generally by reference numeral 54, that allow the logged-in

shipper to revise its personal profile data. In this particular

embodiment, the following information may be revised) the

information to be revised includes address, city, state, and

postal code as depicted in table A and Figure 4-2. It is well

known to those skilled in the art that postal code is an

allotment of a range of numbers denoting separate regions or

subsets of a geographical area.

22.   As per claim 17, Blalock teaches the system of claim 13 as

discussed above. Blalock further teaches, database stores bid

terms for each subset (Blalock paragraph[0139], If the shipper

allows open bidding on the accessorial, the designation "Open"

appears in the "Bid Rule" data column)

23.   As per claim 18, Blalock teaches the system of claim 17 as

discussed above. Blalock further teaches, bid terms comprise at

least one of a reserve price, a historic price, a target price,

time dependent variables, and bid strategies (Blalock

paragraph[0102], the displayed data is but a preferred selection

and layout of data which could be modified); the displayed data

is notes as being time dependent variables such as contract

period, preview time, bidding start time, award time, and

acceptance time as shown in table B.

24.   As per claim 19, Blalock teaches the system of claim 13 as

discussed above. Blalock further teaches, software updates the

lowest bids with new lowest bids (Blalock paragraph[0146],

selection of the "Submit Status Changes" button updates the

status of each carrier with respect to the particular RFQ in the

integral database)

25.   As per claim 20, Blalock teaches the system of claim 13 as

discussed above. Blalock further teaches, identifier indicates a

number of bidders in each subset (Blalock paragraph[0111], The

next category of data columns relates to OTR transportation

bids. Specifically, "Bids" refers to the number of bids that

have been submitted by carriers with respect to a particular

lane)

26.   As per claim 21, Blalock teaches the system of claim 13 as

discussed above. Blalock further teaches, identifier varies by

subset and conceals a number of bidders in each subset (Blalock

paragraph[0061], Specifically, a shipper may choose not to allow

carriers to view information associated with other carrier bids)

27.   As per claim 22, Blalock teaches a machine readable medium

for bidding to drive competition in an auction comprising:

    cc.   a first machine readable code that receives a

    plurality of bids from a plurality of bidders (Blalock

    paragraph[0059], each carrier can submit its bids, lane by

    lane, through the web site interface; Blalock

    paragraph[0083], Various commercial software packages

    and/or programming techniques could be used by those

    skilled in the art to develop this database without

    departing from the spirit and scope of the present

    invention);

dd.   a second machine readable code that distinguishes the

bidders according to a subset of a parameter and assigns at

least one identifier to the bidders in each subset (Blalock

paragraph[0144], there are one or more matrices which

display the lowest rate-per-mile bids submitted by zone;

Blalock paragraph[0145], it can be seen that state or

regional codes are used to identify both the rows (origin)

and the columns (destination) that comprise the matrix . .

. a shipper can view the lowest mileage rate for a

particular transportation zone as determined through

bidding by participating carriers);

ee.   the subset associated with the identifier being

unknown to the bidders outside of the subset (Blalock

paragraph[0061], a shipper may choose not to allow carriers

to view information associated with other carrier bids);

and

ff.   a third machine readable code that displays a lowest

bid with the identifier for each bidder (Blalock

paragraph[0140], data columns provide specific information

about the bids that have been submitted with respect to the

various accessorials listed in the table . . . the "Min" is

the minimum bid; Blalock paragraph[0144], there are one or

more matrices which display the lowest rate-per-mile bids

submitted by zone).

28.   As per claim 23, Blalock teaches the medium of claim 22 as

discussed above. Blalock further teaches, parameter comprises at

least one of regions, payment terms, delivery terms, contract

length, contract volume, material, and qualification status

(Blalock paragraph[0143], Matrix bidding allows carriers

participating in an RFQ to submit rate-per-mile bids for

particular transportation zones, from one geographic area to

another)

29.   As per claim 24, Blalock teaches the medium of claim 22 as

discussed above. Blalock further teaches:

gg.   geographical areas for the regions (Blalock

paragraph[0145], it can be seen that state or regional

codes are used to identify both the rows (origin) and the

columns (destination) that comprise the matrix);

hh.   methods of payment for the payment terms (Blalock

paragraph[0181] By selecting the "Remittance" hyperlink the

shipper is re-directed to a screen displaying remittance

contact information for the carrier);

ii.   methods of delivery for the delivery terms (Blalock

paragraph[0182], By selecting the "Equipment" hyperlink,

the shipper is re-directed to a screen displaying detailed

information about the carrier's equipment, including, but

not limited to, number of tractors owned, leased trailers,

total trailers, number of driving teams);

jj.   times for the contract length (Blalock

paragraph[0102], the displayed data is but a preferred

selection and layout of data which could be modified; the

displayed data is notes as being contract period as shown

in table B);

kk.   capacities for the contract volume (Blalock

paragraph[0224], The third data entry field is labeled

"Cap." In this data entry field the carrier enters its

capacity, i.e., the volume of truckloads the carrier can

accommodate for the specified lane during a designated

period of time);

ll.   types of material for the material (Blalock

paragraph[0182], selecting the "Equipment" hyperlink, the

shipper is re-directed to a screen displaying detailed

information about the carrier's equipment, including, but

not limited to, number of tractors owned, leased trailers,

total trailers, number of driving teams); and

mm.   at least one of approval and certification for the

qualification status (Blalock paragraph[0147], status of

each carrier is an indication of its approved level of

participation with respect to a particular RFQ . . . An

"approved" carrier can fully participate in the RFQ).

30. As per claim 25, Blalock teaches the medium of claim 22 as

discussed above. Blalock further teaches, identifier comprises a

number selected from a range of numbers assigned to the subset

(Blalock paragraph[0094], The PERSONAL PROFILE SCREEN includes a

data entry window with multiple data entry fields, indicated

generally by reference numeral 54, that allow the logged-in

shipper to revise its personal profile data. In this particular

embodiment, the following information may be revised) the

information to be revised includes address, city, state, and

postal code as depicted in table A and Figure 4-2. It is well

known to those skilled in the art that postal code is an

allotment of a range of numbers denoting separate regions or

subsets of a geographical area.

31. As per claim 26, Blalock teaches the medium of claim 22 as

discussed above. Blalock further teaches, database stores bid

terms for each subset (Blalock paragraph[0139], If the shipper

allows open bidding on the accessorial, the designation "Open"

appears in the "Bid Rule" data column)

32. As per claim 27, Blalock teaches the medium of claim 26 as

discussed above. Blalock further teaches, bid terms comprise at

least one of a reserve price, a historic price, a target price,

time dependent variables, and bid strategies (Blalock

paragraph[0102], the displayed data is but a preferred selection

and layout of data which could be modified); the displayed data

is notes as being time dependent variables such as contract

period, preview time, bidding start time, award time, and

acceptance time as shown in table B.

33. As per claim 28, Blalock teaches the medium of claim 22 as

discussed above. Blalock further teaches, software updates the

lowest bids with new lowest bids (Blalock paragraph[0146],

selection of the "Submit Status Changes" button updates the

status of each carrier with respect to the particular RFQ in the

integral database)

34. As per claim 29, Blalock teaches the medium of claim 22 as

discussed above. Blalock further teaches, identifiers indicate a

number of bidders in each subset (Blalock paragraph[0111], The

next category of data columns relates to OTR transportation

bids. Specifically, "Bids" refers to the number of bids that

have been submitted by carriers with respect to a particular

lane)

35. As per claim 30, Blalock teaches the medium of claim 22 as

discussed above. Blalock further teaches, identifier varies by

subset and conceals a number of bidders in each subset (Blalock

paragraph[0061], Specifically, a shipper may choose not to allow

carriers to view information associated with other carrier bids)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuks Onyezia Esq. whose telephone number is 571-270-1372. The examiner can normally be reached on first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Nolan can be reached on 571-272-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Chuks Onyezia 10/24/2006

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